

ORDER CONFIRMING ARBITRATION AWARD

The arbitrator awarded Stream \$182,584.41 plus interest of 18% from the dates of the unpaid invoices (the arbitrator noted that this amounted to \$52,328.82 as of June 30, 2011) in addition to attorneys' fees of \$14,000.00 and arbitration expenses of \$6,316.25. Peek has not complied with the

arbitrator's order in any respect and the entire amount of the award remains outstanding.


Stream therefore petitioned this court to confirm the arbitration award on May 2, 2012. And though Peek was served the petition no later than July 7, 2012, Peek's response to the proceeding in this court has mirrored its response to the arbitration proceeding: it has ignored them both.

Therefore the arbitrator's award is confirmed. Stream is entitled \$182,584.41 in damages, \$52,328.82 in interest accrued prior to July 1, 2011, and interest on the interest-inclusive damages award of \$234,913.23 at a rate of 18% annually from July 1, 2011 until the date of its judgment in this court. In addition, per the arbitrator's award, Stream is entitled to arbitration fees of \$6,316.25 and its attorney's fees of \$14,000.00.

Because Peek has made no attempt to justify its refusal to comply with the arbitrator's decision, Stream is also entitled to its attorneys' fees in petitioning this court to confirm the award. See Int'l Chem. Workers Union (AFL-CIO), Local No. 227 v. BASF Wyandotte Corp., 774 F.2d 43, 47 (2d Cir. 1985).

So ordered.

Dated: New York, New York
October 18, 2012

A handwritten signature in black ink, reading "Thomas P. Griesa". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Thomas P. Griesa
U.S. District Judge